

REMARKS

Upon entry of the present Reply, claims 1-10 and 43-65 are pending in the application. Claims 1, 3-6 and 9 are amended herein. Claims 11-42 are cancelled and new claims 45-64 are added herein.

Support for the amendment of claims 1 and 43 and in new claim 55 is found for example in the specification at page 10, lines 10-11 and in original claim 5. Claims 3 and 4 are amended to address the Section 112 issue raised by the Examiner. Claim 6 is amended to address the claim objections and Section 112 issues raised by the Examiner, except as noted below. Claim 43 is amended to remove the language objected to by the Examiner, the substance of which has been incorporated into new claims 45, 54 and 64.

Support for the amendments of claims 5 and 9 may be found, for example, in Table I, at page 50, in the "Exemplary Bath Concentration" column.

Support for new claim 55 may be found in the claims as originally filed, in that claim 55 is drawn to a quaternary alloy, and thereby is within the scope of original claim 1.

Support for the remaining new dependent claims can be found in the corresponding original dependent claims, as currently amended.

The specification is amended as requested by the Examiner to correct the typographical error at page 10, line 26.

Indefiniteness Issues

The Examiner contended in the Office Action that the phrase "(wherein Z independently may be H, an alkali metal ion, or Z_2 may be an alkaline earth metal ion)" is indefinite. Applicants are not able to understand what is the problem perceived by the Examiner with respect to this phrase. It very simply states that, Z can be H or an alkali metal ion, both of which are singly charged species, and, where two Z's are present (i.e., Z_2), then Z_2 may be an alkaline earth metal ion, which is a doubly charged species. Applicants do not consider that there is any indefiniteness in this phrase.

If the Examiner intends to persist in this objection, Applicants respectfully request the Examiner to clarify what is the perceived problem in a further Office Action.

Prior Art Issues

The claims stand rejected as anticipated and/or as obvious over several references. Applicants have amended the claims and added new claims that are believed to fully distinguish over and to be fully patentable over each of the cited references and/or combinations. Claim 5 was rejected as obvious over the combination of GB 2104920 and JP 06-116781. The subject matter of claim 5 and a concentration range have been incorporated into all of the claims.

JP 06-116781 discloses Sb^{+3} at a concentration of 0.5 to 5 ppm (ppm = milligram/liter = mg/dm^3). The claims now specify that component (c), i.e., where present, Sb^{+3} , is present at a concentration ranging from about 0.01 g/dm^3 to about 10 g/dm^3 , which is equivalent to 10 to 10,000 mg/dm^3 , i.e., 10-10,000 ppm, and thereby fully distinguishes the contended combination.

Lest the Examiner contend that it might have been obvious to vary the concentration of Sb^{+3} , Applicants note that in JP 06-116781, as shown in table 1, comparative example 2 has a concentration of 7 ppm Sb^{+3} and, as shown in table 2, comparative example 2 exhibits unfavorable results ("x") in the right-hand column. The discussion in paragraph [0012] states that if too much Sb is used, corrosion resistance will fall. These disclosures constitute a clear teaching away from the use of higher concentrations. Therefore, it would not have been obvious to employ a higher concentration of Sb^{+3} in a Zn/Ni alloy, as claimed.

For at least the foregoing reasons, Applicants respectfully submit that the presently pending claims address and overcome all of the rejections set forth in the Office Action mailed March 14, 2007, and that these claims fully patentably distinguish over the prior art of record. Notice to such effect is respectfully requested.

Supplemental Information Disclosure Statement

Applicants submit herewith a supplemental IDS to submit the translation of one of the references cited in the Office Action to which this paper is responsive. Since the reference is already of record but only in Japanese and English abstract, Applicants do not submit the fee under 37 CFR 1.97(c), but instead state that since this translation was not previously available, it qualifies for the certification set forth in the IDS.

Conclusion

For the foregoing reasons, Applicants respectfully submit that the present application and claims are in condition for allowance and notice to such effect is respectfully requested.

Should the Examiner consider that a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Applicants do not consider that any additional claim fees are due for the submission of the new claims, since a total of 32 claims, including 4 independent, are cancelled herein, and a total of 20 new claims, including one independent, are added. Applicants submit herewith the fee for a two month extension of time. In the event any additional fees are due in connection with the filing of this paper, the Commissioner is authorized to charge those fees to our Deposit Account No. 18-0988, docket No. ATOTPO109US.

Respectfully submitted,
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